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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,760	09/12/2003	Roger J. Jellicoe	MOT-CS22372RL	8152

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DESIGN IP-DEPT. MOT
5000 W. TILGHMAN STREET
SUITE 153
ALLENTOWN, PA 18104

EXAMINER

WEST, LEWIS G

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,760

Applicant(s)

JELICOE, ROGER J.

Examiner

Lewis G. West

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-23 is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4 and 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Chuang (2004/0207604 A1).

Regarding claim 1, Chuang discloses a communication device, comprising: a front housing having a display panel (5); a first keypad housing including a first keypad (31) being functionally connected to the front housing and having a plurality of keys arranged in a first configuration (paragraph 0019); and a second keypad (32) housing including a second keypad being functionally connected to the front housing and having a plurality of keys arranged in a second configuration (0023); wherein the first configuration is different from the second configuration (0019, 0023); wherein the front housing, first keypad housing, and second keypad housing are adapted to overlap and stack in a nested configuration in which the first and second keypads are concealed by the front housing (Figure 4; paragraphs 0019-0021), and the front housing is movable relative to each of the first and second keypad housings from the nested configuration to an extended position in which at least one of the first and second keypads is exposed. (0019-0021)

Regarding claim 2, Chuang discloses the communication device of claim 1, wherein the second keypad housing is movable relative to the first keypad housing from the nested configuration to an extended position. (0021)

Regarding claim 3, Chuang discloses the communication device of claim 2, wherein the second keypad is exposed by moving the front housing from the nested configuration to an extended position, and the first keypad is exposed by simultaneously moving the front housing and the second keypad housing to an extended position. (0019-0021)

Regarding claim 4, Chuang discloses the communication device of claim 1, wherein the first keypad is exposed by moving the front housing from the nested configuration along a first path of travel, and the second keypad is exposed by moving the front housing from the nested configuration along a second path of travel, the second path of travel being different than the first path of travel. (0019-0021; Figure 4)

Regarding claim 9, Chuang discloses the communication device of claim 1, wherein the display panel displays characters in at least two orientations. (0019)

Regarding claim 10, Chuang discloses the communication device of claim 9, wherein the at least two orientations include a first orientation and a second orientation, the plurality of keys of the first keypad are arranged in a third orientation and the plurality of keys of the second keypad are arranged in a fourth orientation, wherein the first orientation is the same as the third orientation and the second orientation is the same as the fourth orientation. (0019,0023)

Regarding claim 11, Chuang discloses the communication device of claim 1, including a plurality of softkeys on the front housing that are operational when either the first or second keypad is exposed. (0018)

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Regarding claim 12, Chuang discloses the communication device of claim 1, wherein the front housing, the first and second keypad housings are telescopically connected to one another. (0019-0021; Figure 4)

Claims 1, 7, 8 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Pekka (US 2005/0017953)

Regarding claim 1, Pekka discloses a communication device, comprising: a front housing having a display panel (3C); a first keypad housing including a first keypad (3 A-G) being functionally connected to the front housing and having a plurality of keys arranged in a first configuration (3A-G); and a second keypad (3A-G) housing including a second keypad being functionally connected to the front housing and having a plurality of keys arranged in a second configuration (3A-G); wherein the first configuration is different from the second configuration (3A-G; paragraph 0033); wherein the front housing, first keypad housing, and second keypad housing are adapted to overlap and stack in a nested configuration in which the first and second keypads are concealed by the front housing (Figures 1A-2D, and the front housing is movable relative to each of the first and second keypad housings from the nested configuration to an extended position in which at least one of the first and second keypads is exposed. (Figs. 1C, 2C; 0033-0035)

Regarding claim 7, Chuang discloses the communication device of claim 1, wherein the plurality of keys of the first keypad are arranged in a QWERTY configuration and the plurality of keys of the second keypad are arranged in a telephone keypad configuration. (3A-G)

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Regarding claim 8, Pekka discloses the communication device of claim 1, wherein the plurality of keys of the first keypad are arranged in a game configuration and the plurality of keys of the second keypad are arranged in a telephone keypad configuration. (3A-G).

Regarding claim 13, Pekka discloses the communication device of claim 1, including a speaker and microphone (0036), although not directly stated, it is inherent that and ITU phone has a speaker and microphone.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chuang (2004/0207604 A1) in view of Finke-Anlauff (US 6,850,226)

Regarding claim 5, Chuang discloses the communication device of claim 4, but does not expressly disclose a transverse travel path. Finke-Anlauff discloses a movable display which moves transverse relative to a first keypad to expose a second keypad. (Col. 3 lines 42-63) Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have the first path of travel is transverse to the second path of travel to allow for operations in different orientation as suggested in Finke Anlauff (Col. 3 lines 54-63).

Regarding claim 6, the combination of Chuang and Finke-Anlauff discloses the communication device of claim 5, wherein the first and second paths of travel are linear. (Chuang 0019-0021; Figure 4)

Allowable Subject Matter

Claims 14-23 are allowable.

Regarding claim 14, the prior art discloses multiple keypads having multiple functions and layouts for communications devices, as well as concealed keypads, including those hidden under a display and exposed by folding, sliding or pivoting the display to reveal functional keypad layouts underneath for the purpose of saving space while allowing for larger keys to be used on smaller devices. Claim 14 teaches a very detailed layout and interaction between a display and multiple keypads as follows: a front housing having a display panel that can display characters in a first and second orientations relative to the front housing; a first keypad housing having a first keypad functionally connected to the front housing, the first keypad having keys having a third orientation and arranged in a first key configuration; and a second keypad housing having a second keypad functionally connected to the front housing, the second keypad being structurally arranged between the front housing and the first keypad housing, and telescopically connected to the front housing and the first keypad housing, the second keypad including keys having a fourth orientation and arranged in a second key configuration; wherein the first key configuration is different from the second key configuration; wherein the front housing, the first keypad housing and the second keypad housing are adapted to telescopically slide to overlap and stack in a nested configuration in which the middle and first keypads are concealed underneath

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the front housing, and the front housing can telescopically slide relative to each of the first and second keypad housings from the nested configuration to an extended position to selectively expose one of the first and second keypads; wherein the first and third orientations are the same and the second and fourth orientations are the same; and wherein the display panel displays characters in the first orientation when the first keypad housing is in the extended position and the display panel displays characters in the second orientation when the second keypad housing is in the extended position. When incorporating all the limitations of the claim, none of the prior art discloses the features as claimed.

Claims 15-21 incorporate all the limitations of claim 14. When incorporating all the limitations of the base claim and any intervening claims, none of the prior art discloses the features as claimed.

Claim 22 teaches similar allowable limitations to those found in claim 14. When incorporating all the limitations of the claim, none of the prior art discloses the features as claimed.

Claim 23 incorporates all the limitations of claim 22. When incorporating all the limitations of the base claim and any intervening claims, none of the prior art discloses the features as claimed.

Conclusion

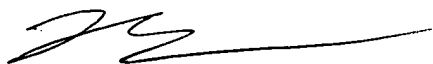
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chung et al(US 6,825,832), Lahr (US 6,810,119) and Brandenburg (US 6,665,173) are cited as relevant to the art of movable and concealable keyboards and displays.

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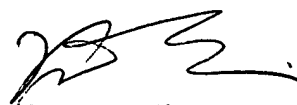
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 703-308-9298. The examiner can normally be reached on Monday-Friday 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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